

UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

ANDREW P. FLOOD, |
 |
 |
PETITIONER |
 |
 |
v. |
 |
 |
SCOTT JONES, |
 |
 |
 |
RESPONDENT |
 |

CIVIL No. 1:11-cv-281-P-H

**ORDER AFFIRMING RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On August 19, 2011, the United States Magistrate Judge filed with the court, with a copy to the petitioner, his Recommended Decision on 28 U.S.C. § 2254 Petition. The petitioner filed an objection to the Recommended Decision on August 26, 2011. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The petition is **DISMISSED WITHOUT PREJUDICE** to the petitioner's right to return to this forum after securing the permission to do so from the First Circuit Court of Appeals.

So ORDERED.

DATED THIS 29TH DAY OF AUGUST, 2011

/S/D. BROCK HORNBY

D. BROCK HORNBY

UNITED STATES DISTRICT JUDGE